

THE AMERICAN OCCUPATIONAL  
THERAPY ASSOCIATION, INC.  
Bethesda, MD, September 1, 1999.

Hon. CHARLES NORWOOD,  
U.S. House of Representatives,  
Washington, DC

DEAR REPRESENTATIVE NORWOOD: On behalf of the 60,000 members of the American Occupational Therapy Association, Inc. (AOTA), I would like to express our endorsement for the Bipartisan Consensus Managed Care Improvement Act of 1999, H.R. 2723. We appreciate your leadership, along with Representative John Dingell, in continuing to pursue strong managed care legislation with real patient protections through bipartisan efforts.

H.R. 2723 contains many critical patient protections that the members of AOTA believe are necessary to ensure patients receive the care that they need. Federal legislation should: guarantee patients' access to all medically necessary specialty care using appropriate utilization review standards; protect patients' right to choose a health care plan allowing out-of-network care; prohibit the restriction of importance medical communications and require information disclosure standards; prohibit discriminatory practices against health care professionals; require timely, independent due process procedures; and hold health plans accountable for their medical decisions.

H.R. 2723 is considerably more comprehensive than legislation passed by the Senate in July. It is important that these protections are available to all Americans enrolled in private health care plans.

Over the August recess we have notified our members, asking them to talk to their legislators. Please let us know how we can continue to assist you in your efforts to have comprehensive managed care legislation addressed on the House floor.

Again, we thank you for your leadership and hard work on this issue. We look forward to continuing to work with you to pursue passage of comprehensive managed care legislation.

Sincerely,

KATHRYN M. PONTZER,  
Senior Legislative Counsel,  
Federal Affairs Department.

AMERICAN ASSOCIATION FOR  
MARRIAGE AND FAMILY THERAPY,  
Washington, DC, August 23, 1999.

Hon. CHARLES NORWOOD,  
House of Representatives,  
Washington, DC

RE: Bipartisan Consensus Managed Care Improvement Act of 1999 (H.R. 2823)

DEAR DR. NORWOOD: The American Association for Marriage and Family Therapy is writing to express our strong support for the Bipartisan Consensus Managed Care Improvement Act of 1999 (H.R. 2723). On behalf of the 46,000 marriage and family therapists throughout the United States, we want to applaud you and Rep. Dingell for your effort to provide Americans with comprehensive patient protections.

Your bill offers several safeguards that are integral to our members, as well as the public at large. One provision, the prohibition on discrimination against providers, has particular significance. It expands consumer access to qualified practitioners who are regulated by the states. Without this protection, insurers and plans can continue to discriminate against many licensed health care professionals. Additionally, the provision will foster competition among providers and expand the pool of trained practitioners.

The ability to access specialty care is also a positive component of this legislation. Pa-

tients with ongoing healthcare conditions will greatly benefit from the opportunity to access specialists who are trained in the treatment of their special conditions. Moreover, removing the requirement of a primary care referral will reduce costs and delays that burden health care delivery.

Other provisions of significance to our organization include: an independent review process for determination of medical necessity decisions; the ability of people with special health care needs and chronic conditions to continue to access their health care professionals after employers change plans; the ability to hold managed care plans accountable for decisions to deny care; and guaranteed access to emergency care services.

These protections are a superb example of how Members from both sides of the aisle can work together to improve the quality of medical care for all employees. Your leadership in this effort is truly outstanding and appreciated. If there is any role our organization can play in passage of this legislation, please contact our Government Affairs Manager, David Bergman, at (202) 467-5015. Its time to ensure that all Americans are provided with the security of a comprehensive health care system.

Sincerely,

MICHAEL BOWERS,  
Executive Director, American Association  
for Marriage and Family Therapy.

#### AMERICAN PUBLIC PLACES EDUCATION AS A TOP PRIORITY

The SPEAKER pro tempore (Mr. TERRY). Under the Speaker's announced policy of January 6, 1999, the gentleman from New York (Mr. OWENS) is recognized for 60 minutes as the designee of the minority leader.

Mr. OWENS. Mr. Speaker, we have just returned from recess and we are about to enter the closing chapters of the first session of the 106th Congress. The end of the first session will only take us halfway. We can continue, and there are probably some things that will continue, but we have a full plate here.

There is a great deal of speculation about exactly what is going to happen with the appropriations bills and the fiscal plan which now is made more exciting by the fact that there is a surplus. After we lock the box and keep the Social Security funds in place, we still have a projection of a 10-year period of a trillion dollar surplus, and that has led to some radical proposals by the Republicans with respect to tax cuts, and that has certainly charged the atmosphere.

I am interested in continuing the dialogue on education. I think that we are in danger of making a great blunder if we do not use this great window of opportunity to do something dramatic to improve education in America. There is a need for a greater commitment from the Federal Government which now only is responsible for about 8 percent of the total expenditure on education. We need more federal support for education.

There are a lot of things that have to happen to improve education in America, but one of the things that has to happen is that we must have more fed-

eral support. The Federal Government is where the money is. The Federal Government's money is not made here in Washington; it all came from the local level, so it belongs to the people out there in the States and in the localities. This is no reason why we cannot resolve to use funds from the Federal Government to help solve and resolve some of the overwhelming problems that we are facing in education.

We can still win the war for education support. The status of legislation here at this point does not preclude some major development taking place either before we end this session, or certainly before we end the 106th Congress in the fall of the year 2000.

Let us take a look at where we are at this point. As far as education funding is concerned, we are in bad shape. A number of appropriations bills have been stalled, and we have only passed two; but the education appropriations bill, the Labor-HHS appropriation is further behind than any of the other appropriations in the process. It has not even gotten out of the subcommittee yet. The appropriations bill for education, it seems, is being used as a scapegoat; and it will be the last one out there, and it will have the greatest amount of reductions.

I am not on the Committee on Appropriations, but the rumors are that for the overall Labor, Health and Human Services and Education appropriations, the cut may range as high as 35 or 40 percent. And certainly education is in danger of a 15 to 20 percent cut if we follow the present process whereby there are budget caps. But they are not following budget caps on some appropriations bills. They are leaving the last ones to take most of the burden of the cuts. So education is in deep trouble at this moment in history. But I think we can still win the war.

What I want to talk about tonight is how the American public and public opinion, the common sense of the voters, still is a determining factor here. We need to hear that and know that. All of the polls still continue to show that the American people place education as one of the top priorities, either priority number one or priority number two, in terms of federal assistance, or the use of federal resources to help solve problems. They expect us to do something. They are concerned. And their common sense is correct. Their common sense is on target. But what they need to know is that there are a set of rules being followed and a set of maneuvers underway that will lead to inevitable cuts in education if those rules are followed.

The President is right when he says that not only do we face cuts in this present year, in the present appropriation, but in the bigger scenario that the Republicans have staked out, if they go ahead with a gigantic tax cut of \$790 some billion dollars over a 10-year period, then the mechanics of that

tax cut dictate that there must be increasing cuts, escalating cuts in education. It would be the greatest blunder this Nation has made since it was first established if we were to fall into that pattern where a tax cut and the momentum of a tax cut makes it absolutely necessary that there must be cuts in the resources that the Federal Government allocates for education.

The Republicans have made it clear that they do not care about education at all. They ejected the portion of their tax bill that could have covered a few of the problems with education construction. We should not have, in my opinion, a great deal of authority invested in the Committee on Ways and Means to deal with education, but it so happens that that was the only vehicle that the administration felt they could utilize. So in the Ways and Means bill, through the Tax Code, the only initiative that is on the table to help with school construction in Washington, is H.R. 1660, the bill sponsored by the gentleman from New York (Mr. RANGEL), and a bill which incidentally is backed by the overwhelming majority of the members of the Democratic caucus and by some Republicans.

H.R. 1660 is in the process of a discharge petition. And I understand that more than 190 Members have already signed the discharge petition for H.R. 1660, and it is projected that we are going to get above 218 to sign that discharge petition for this school construction bill via the Tax Code. That is a process by which the Federal Government will pay the interest on money borrowed by the States and the localities for school construction.

It is a good beginning. It moves from zero to proposing that the Federal Government authorize the borrowing of up to \$25 billion over a 5-year period and the Federal Government would be responsible, through tax credits, for paying the interest on the money borrowed, which is expected to come to about \$3.7 or \$4 billion. Close to \$4 billion of federal commitment would be involved in that kind of approach.

□ 2200

Now, that is the approach that is the pragmatic thing in the present playing field. The President and administration do not see any other way to move forward and start a process of involving the Federal Government in school construction. And if we have to accept the present playing field, the budget caps and the restrictions on the budget process that were there before we found we had a surplus, then that is a good move.

I certainly am a cosponsor of H.R. 1660, one of the persons who signed the discharge petition. I think we should go full speed ahead and try to make the discharge process add up to a discussion on the floor of H.R. 1660. That is what is acceptable now on the present playing field.

Beyond the present playing field, though, we have a new scenario. I

mean, in addition to the consideration of this year's appropriation and maybe next year's appropriation, we have the majority of Republicans projecting 10 years' worth of expenditures due to the fact that they have estimated that the budget surplus will continue and over a 10-year period, even after we subtract the portion of the surplus that relates directly to Social Security, we will have close to \$1 trillion in surplus over a 10-year period.

They are projecting that they should go ahead and plan to use that money primarily for a tax cut, more than \$790 billion over a 10-year period. If we go into that kind of scenario where we are talking about 10 years and we are talking about an umbrella of a trillion dollars, then I think that we need another additional proposal on school construction. And that proposal is the proposal that I have set forth in H.R. 1820. That deals with \$110 billion.

I am going to revise H.R. 1820 soon and take out the 5-year provision which is in there now. It is \$110 billion over a 5-year period. And in order to make it harmonize and fit the scenario that the Republicans have set forth, I will make it a 10-year bill, \$110 billion over a 10-year period and have it be the direct appropriations, of course, in accordance with a number of school-aged children in each State.

Each State would be allotted money based on the number of school-aged children. The money could be used for construction of new facilities, for repair of existing facilities, for wiring to allow for technology in the schools, for construction related to security, and for the elimination of health threatening conditions and elimination of unsafe conditions.

So it would be a bill with great flexibility allowing each State to take the appropriation that it receives on the basis of the number of school-aged children and apply them in the areas of greatest need for their infrastructure problems.

I think probably every State and certainly probably every school district also has some problems with infrastructure that would be helped by such a bill.

As I said before, this is a scenario for the larger playing field, the 10-year, trillion-dollar surplus playing field. So H.R. 1660 we will support and should support if that is going to be the name of the game. If it is going to be within the confines of the present budget making and appropriation setting process, yes. But if we are going to move to the 10-year scenario and we are going to have \$794 billion on the table for a tax cut, then we need on that same table to have \$110 billion for school construction.

Or even if we are going to have \$300 billion, which some say may be the compromise, \$300 billion, \$400 billion for a tax cut, we still need a substantial comparable approach and a comparable amount for school construction. And I will talk in a few minutes

about, among all the education reform items, why school construction is definitely the most important.

Public opinion has made it quite clear that they do want us to address the education problem with more than lip service and rhetoric, they want more than sound bytes on television, they do want some resources to be applied to the problems.

We have had in the last month or so several reports on new public opinion polls relating to education. And it is consistent, in fact, it is increasingly the public outcry, the public demand for the action on the part of Government with respect to education.

Recent polls show that people are willing to spend money, the majority of people are willing to pay more taxes if necessary to get some movement on the establishment of an education program that is suitable for the 21st century, an education proposal, an education system that fits with the coming cybercivilization that we have with great demands for people who have intellectual capabilities and are well-trained. And the only way we get them is through the process of education.

In addition to these public opinion polls that have been cited recently, there have been several other related developments or reports related to education which I think are very significant. The New York Times had an article on "The Digital Brain Drain" on Thursday of last week, September 2. The New York Times article reads "The Digital Brain Drain."

There are so many computers and so much interest in computers now at the college level and the high school level that there is little interest in the hard sciences. We have criticism now of computers becoming more dominant as far as students are concerned with respect to their choices as to what they want to do in life or what they want to study, if they do not have to study chemistry and they do not want to bother with chemistry and they do not want to bother with physics.

This article by Claudia H. Dorsch in the New York Times laments the fact that the interest in hard sciences is waning, definitely declining, decreasing.

One man, Jim Ivy, it starts fears that his son Jonathan, a freshman business major at Pennsylvania State University, will graduate from college without ever having taken a chemistry course.

Mottville High School, a New Jersey school, did not require chemistry and his advisors at Penn State says he can skip it there, too.

On and on they go to talk about how young people are choosing to focus on computer and computer science being where it is at and biotechnology and physics and a number of other areas are suffering already and are likely to suffer more.

We have more foreign students in graduate schools. The number of people who are studying sciences in graduate

school has declined, the number of Americans has declined to the point where the number of graduate level students who are foreign is greater than the number who are American in our graduate schools science programs.

Now, my answer to this is that what this is saying is that, in our increasingly complex society, where more and more demands for people with intellectual capabilities, whether it is science, law, medicine, whatever it may be, the pool is too small.

What we are really confronting here is the fact that the number of young people who are graduating from high school and going to college is so small that we have to take a scarcity approach and pit one profession against the other, one field of study against the other.

If the pool was larger, if we were keeping pace, then an education system that was preparing an adequate number of students to go into college more and more because we are going into a cybercivilization where scientific competence and learning are required to a much greater degree than ever before, let us recognize it and put the emphasis in our resource allocation on education to get more youngsters into the pool.

Now, to get more youngsters into the pool who are going to go to college and study science, computers, or English or math, we need people right across the whole spectrum. So we need people in social sciences so that they can help keep our society on course.

Science will not save us. We have just seen that one of the superpowers, the two great superpowers of the world, the Soviet Union, very proficient in science. They almost beat us to the moon. They certainly beat us into outer space. They have right now, as they had before, the capability of delivering nuclear warheads anywhere in the world with their vast rocket power.

The scientists and the engineering capability of the Soviet Union was astounding. But the whole nation collapsed. Why did it collapse with such brilliant scientists and systems that were able over a short period of time relatively to produce a very sophisticated technical and scientific society? It collapsed because something was missing.

So we do not want to have educated people, the people who are our leaders who come out of the colleges, who are only proficient at sciences, whether it is computer science or chemistry or physics. They must also, right across the board, we must have a supply of people who are competent and able to lead us politically and socially.

So the pool needs to be enlarged. We need to maximize the number of youngsters who flow up from elementary school to high school, from high school into college, and from college into grad school and life-long learning, in the case of most of us, for the future.

In order to do this, we have to begin at the lowest level. President Clinton's

proposal for more teachers to the classroom in order to decrease the ratio of pupils to teachers and have fewer pupils in a classroom for teachers at the lowest levels will mean that the youngsters will be more likely to learn to read. Because whatever we do in chemistry or physics or computer science, however we may change the classroom in terms of the addition of new technology, it all begins with reading.

If kids cannot read, then they will not be able to survive, they will not be able to benefit from all of the additional education accouterments that we add. They must know how to add. They must know how to do the basic math. They must get the basics at a very early age. And we cannot touch the system at the top or doctor the system at the top and hope to get the kind of results that we need. We need to have the entire system in motion.

So we need to improve education in every way. And the President's proposal for more teachers to the classroom, \$1.2 billion, is on target. We need much more than that, however. Because in order to get smaller classrooms, we need more than the addition of teachers, we need the addition of some more classrooms. We condition teach a first grade class with one teacher at one side of the room and another teacher at another side of the room. It will not work at lower levels.

It may work at higher levels you can have two classes in one room. I recall when I went to school at Shelby County schools, a very poor area, certainly the segregated schools for African-Americans were quite squeezed and the 7th and 8th grades were in the same room, 7th grade on one side and 8th grade on the other. And we made do.

If we had been younger levels, I do not think we would have ever been able to have order on one side while there was complete order on the other side and have been able to move in some kind of constructive way with a room full of young children. I do not think it is possible.

We need more classrooms if we are going to have smaller sizes. We need classrooms that do not send a message to children. We cannot take the kids into the hall, as I have seen in a number of schools, where they have got them at the end of a hall because there is no place to put them.

In some cases they are in closets that have been enlarged, storage rooms that have been enlarged. And people have said that it is not happening, but there have been some converted restrooms. Boys and girls restrooms have been converted and used as classrooms in some schools. It is that bad.

School is about to start in New York City, and there will be more crises in terms of finding a place to have these youngsters sit. Finding a place to sit now is more complicated by the fact that we have a new policy which everybody from one end of the Nation to the other has applauded, "no more social promotion."

I do not subscribe to slogans like that, but that slogan has caught on and everybody seems to believe it is true and it is positive. "No more social promotion" means we have a lot of youngsters sitting in schools and would have gone on to another school from elementary school to junior high school, but with "no more social promotion" they are sitting there in seats that already are scarce. And we are going to have more of a problem because we do not have a construction program to go with it.

I contend that if we really want to improve education, at the heart of improving education is a school modernization construction program. That is the role that the Federal Government can play best because that is where we need the most resources. That is where localities are stretched out and cannot meet those demands.

Let us face it, even in the parts of the country where construction has the lowest cost, it still costs quite a bit to build our schools. And certainly in the areas that are poorest they have deteriorating schools because they have not had the funds to keep them going in many cases and, therefore, there is some help needed from the Federal Government.

□ 2215

Even in areas like New York City and New York State which have surpluses, it ought to apply those surpluses more to school construction and we ought to put pressure on having the State and the city apply part of their surpluses to school modernization and construction and the people of the State and the people of the city ought to wake up and demand that.

The Federal Government still needs to help. They can never meet the demand with the amount of surplus, even if they applied the entire surplus to school construction and modernization.

So we need to send a message to all the people in the education family, to the children, the teachers, the administrators, that we really care about education because we are going to deal with the problem that they cannot deal with and that is give them a safe, healthy, conducive place to study.

This is just one of the developments that I wanted to note. The digital brain drain where we are talking about how horrible it is that computer science now competes with physics and chemistry and how our scientific endeavors, research capacity is going to suffer greatly because so many people are being taken out of the hard sciences, natural sciences, to go into computer science, I think this is a very sad.

There is a very good article that brings to our attention a major problem but the problem here is not that computer science is mean and computer science is conducting raids on the other scientists, the drama, that kind of nonsense we do not need. What we need to understand is that we need a larger pool of people from which all

of the sciences and the nonsciences draw their students. We need more students in college. We need more students who pass the SAT tests. We need more students who are able to take us into this new cyber civilization.

Another article appeared in the *New York Times*, the same day. Calculators throw teachers a new curve, Thursday, September 2. This article talks about students reprogramming powerful math aids to play games and maybe get a leg up on the SAT.

Well, computers are being utilized in the most advanced classes via calculators and doing all kinds of things not just with the usual basic calculations but with equations and drawing graphs and all kinds of utilizations of the calculator to advance the students' education to solve problems, and many schools are now allowing these calculators to be used during the tests, and I think some plans are being made for the national tests to also allow calculators to be used.

The thing that struck me about the article, it is a long article and a very positive article about how young people are able to master these computers and come up with such original and creative ideas, but what caught my attention most was an inset article by Jennifer Lee, which talks about some schools cannot afford hardware and training. And the fact that the digital gap between those who are rich enough to be able to have the kind of school technology that is most up-to-date and most relevant because it can connect up with the Internet, it can do all the things that the most up-to-date computers and technology can do, these schools cannot even afford the calculators. It points out that some parents are now complaining about the fact that calculators are being used in the classroom; their youngsters cannot afford them and they are placed at a disadvantage.

A number of government and foundation grants are now available to help schools purchase calculators, and other forms of technology, but hardware in the poorest schools may be only a part of the problem because they find that they do not have the teachers and the software that can utilize the hardware that other schools have available. So it is again another aspect of the digital divide between the poorest schools and the more well to do schools with respect to being able to afford the modern instruments that can improve their education and enable them to pass the necessary requirements to move on to college and to qualify for all of these many professions that need new scientists and new information technology workers.

It is important to note that in a speech that President Clinton made at Olney, Maryland, yesterday, he pointed out the fact that he had visited one school and that they told him that the school could not utilize the computers and the technology that they had because when they hooked it all up it

started blowing fuses. The wiring for the school was inadequate and could not accept the modern technology. We are back to the major problem of infrastructure, the great need for construction, school construction, and the need for the Federal Government to be involved in carrying school construction forward.

What are our chances? Why do I say that we can still win the war for education support; we can still win the war to get a significant appropriation for school construction? I think that even if we had some decision-making in this session of Congress, this first half of the 106th Congress, there is time, if we wake up and understand the power that is out there among the parents and the students, the public opinion is there. On education, we have only the example of politicians and elected officials ignoring the polls. It is an amazing phenomena how we see the polls saying that education is important and we ignore the fact that they keep asking for something more significant than we are giving. Everybody proposes some nickel and dime education program but the public keeps demanding something that is really going to deal with the problem in a more basic way.

There are people who say that no major decisions are going to be made about the trillion dollar, 10-year surplus in this session, that we are not going to be able to deal with it; there is too little time; it is going to be carried over to the next session.

That gives us more time. I think time is on our side.

There are other people who say that we may have some kind of unusual coming together of the White House and the Republican leadership and the Congress and we have a deal made this year. I hope not. I fear any kind of rapid deal, because that tends to leave out public opinion. If public opinion is allowed to operate long enough, if the common sense of the people out there is allowed to stay in play, we are going to win this war for education support. We are going to win this war to get meaningful appropriations for education.

We may have a giant omnibus, continuing resolution. The continuing resolution will mean that basic decisions about new programs such as a multibillion dollar tax cut will not be made. It will be carried over to next year. Let it be carried over, and remember that time is on our side. The force is with us. We have truth. We have logic. We have reason. We have so much on our side.

It is amazing how blind our leadership is not to understand that school construction is a place where the Federal Government can make the greatest contribution for the improvement of education.

So it will be carried over until next year, election year 2000. Next year is an election year. That will be the battle ground. That will be the place where the long-term fiscal plan, the 10-year

allocation of \$1 trillion will be decided. We will have time to catch our breath.

The Republican proposals have kind of overwhelmed us. They proposed a \$794 billion tax cut. The Democrats have not countered that with any proposal of substance. We know that our leadership wants a diversified package which will include allocations for Medicare, for education, for a few other programs, but we do not know exactly how much. We do not know whether they are going to be willing to change the formula or change the approach with respect to school construction and place a substantial, adequate amount, on the table for school construction over the next 10 years.

We may not see the leadership move unless the public pressures the leadership to come to its senses. Not to use this opportunity to finance school construction on a meaningful basis would constitute one of the most devastating blunders in the history of the Nation. It would be a great blunder for us not to use the opportunity now, while we have a surplus, to strike a blow against our deteriorating infrastructure and a blow in favor of building up that physical infrastructure and sending a message to the school boards and the teachers and the administrators that we care; we care enough to take off their back the problem of the physical infrastructure. Now they should take care of the other problems.

Yes, the Federal Government can help with research. They can help with curriculum standardization. They can help with experimentation and the dissemination of information about what works and what does not work. There are a thousand ways the Federal Government can help, but the way it can help most is to foot the bill for a large part of the school construction necessary; give the facility, give the infrastructure, take away that burden from local and State governments totally. They should not have the total burden, but local governments and State governments certainly need to contribute more to school construction and the pressure should be on the national basis and part of the participation of the Federal Government can help to stimulate that.

The window of fiscal opportunity is open now. We have a projection of \$1 trillion now. If we go ahead and allow that window to close, if we allow a huge Republican tax cut to take place and the \$1 trillion to go primarily toward the tax cut, there is nothing left for us in order to deal with the need for education funding and for construction.

Education is not just another non-defense expenditure. I think we need expenditures in several areas: Child care programs, social programs, but education is a key because it is investment. It is an investment in the future for the coming generation. Education is going to help us solve the problem of Social Security. The major problem that Social Security faces is that the

number of people who will be drawing down their Social Security payments is going to be greater than the number of people working to put payments into the Social Security fund. If we do not get a labor pool out there that is going to fill the jobs that are going to be available, or if we have to fill the jobs with foreigners or we have to contract out and send the work overseas, we do not get the benefit in our Social Security fund for that. Our economy does not get enriched by the salaries that are paid to workers who are in another country. So education is not just another nondefense expenditure.

Investment in the future of coming generations is best taken care of via the education route. We cannot allow ourselves to blunder into a situation where we do not provide out of this pool of a trillion dollars a substantial amount of money for education.

School construction crystallizes the Federal commitment. It crystallizes the commitment of elected officials for education. It crystallizes the national commitment. If we do something on school construction which is meaningful we can stimulate and accelerate all of the other school improvement efforts out there. Without modernization and construction, we are facing an abandonment of the public school system.

A lot of the people who are against a meaningful school construction program are really scheming to have the public school system scuttled. If we do not build, if there are no buildings, we are sending a message that we are abandoning the process. Why should teachers, why should educators, principals, why should even students believe us when we say that education is important if we are going to allow buildings to fall down around them?

There are people that advocate vouchers, which is an extreme approach to education reform. I am not going to be so blind as to say vouchers are not a good idea for experimentation. Maybe they can tell us something significant, but I think the vouchers ought to be funded out of private sources. We have enough foundations, enough corporations, who favor vouchers to fund a voucher system.

The capacity of private schools in this country right now is very limited. The number of youngsters who are going to private schools using vouchers is so limited until certainly there is enough money in the foundation and corporation world to fund it and let us see how it works via funding from the private sector instead of using public school funds to fund vouchers.

To say we are going to experiment with the improvement of education while having vouchers and pull the money out of the public school system and definitely dooming the public school system to continued mediocrity or a struggle to make ends meet, then we are not improving education in an overall way. Part of the experiment requires that we try to make the tradi-

tional system work, if possible, so we have something to compare with. What is learned through a voucher program may be utilized in the public school system.

□ 2230

Certainly we must realize via common sense and simple logic that most of the 53 million children in America who go to school are going to have to go to public schools for a long time. No matter what kind of legislation Congress passes or the State legislatures pass, there is not a capacity out there to replace the public schools. We are going to have to have public schools for another generation at least, no matter what we do.

So improvement of public schools is a necessary part of any serious, sincere reform effort. We must build in 2000, build schools and we will set up a whole chain reaction.

I think that we ought to be positive about it and assume that we are going to build in 2000. I have a hard hat here which is part of a campaign that we are kicking off at the Congressional Black Caucus weekend next week to wake up the African American community to the fact that we must play a key role. It is a Congressional Black Caucus weekend. The African American community must provide a leadership role in stimulating efforts to gain more resources from the Government for school construction.

There are people who have given up, and there are some public opinion polls, and the Republican majority has certainly brought those to our attention, which say that black parents, African American parents in the big cities in large numbers opt to use vouchers or charter schools. They want to abandon the public school system. They talk about more than 50 percent.

So the people who are being used to tear down the public school system certainly ought to be alerted to the fact that there are clear alternatives.

I know what is happening. Most of us who are in leadership positions know that African American parents have been disappointed by reforms; they are disappointed by no movement in their schools. Certainly those who are brightest and those who are most concerned about their children become very restless, and they do not believe that there is a real effort to improve public schools, and they have given up. They will take any alternative, charter schools or vouchers. They do not make a distinction, just any alternative to the public school system.

Now if we say we are going to not abandon the public school system, and a lot of those problems related to reading, related to counseling and a number of other very difficult problems that for years we have been struggling with, we are going to give you the opportunity, let the educators and the administrators have the opportunity and the resources, because if we are devoting federal funds to school construc-

tion and the physical infrastructure, then there are funds available for other programs and other approaches to the local education agency and the local schools.

So we ought to build. As my colleagues know, I think that we cannot emphasize it too much. Every elected official, every leader in the African American community ought to identify with the need for school construction, school modernization. We ought to understand that the chain reaction of hope can only be set off if we send a clear message that we are going to do something different in a big way.

You know, there is a time when brick and mortar are considerations, are the most important considerations in rallying people. What you do in terms of concrete and bricks send a bigger message and a better message and a more inspiring message than anything else you can do. If you are willing to build, then that is a commitment.

Time is on our side. I think we can still win. As I said before, reason is on our side, logic is on our side. When political expediency continues to be blinded to the obvious, then common sense out there among the voters and among the people that have to point the way.

We probably have a school facility problem in every district. There is at least one school in every congressional district. So we ought to be able to get the message through to the Members, but it will not happen automatically. You have to be willing to devote time and energy and communicate.

We are communicating in one way, through the polls and the focus groups. We have let the Members of Congress know, let the White House know; everybody knows that people want more resources devoted to education. What we have not been able to understand is that the only significant things that can be done, there are some significant things that can only be done by the Federal Government, and the Federal Government needs to accept its role in a very important and expensive proposition such as school construction.

We should not think that it is impossible to do this. We are at a point now where we have a proposal on the table by the administration. President Clinton has been called the education president for good reasons. Nobody else in Washington has provided over such a long period of time a comprehensive program for the improvement of education. Whatever the criticism one may have of it, at least there is a comprehensive program and not just an attempt to raid the education coffers in order to give money to the local level under some slogan, a block grant slogan or dollars to the classroom slogan, but no real program based on research, evidence. We have evidence that smaller classrooms make a big difference. We have research to support that, so the thrust of the administration's program is to get more money to school districts to hire more teachers in the early grades.

There are other programs, after-school centers. There has been a lot of attention paid by this administration; they paid a lot of attention to the fact that you need new technology. They led the movement. The President himself and the Vice President led the movement to wire schools with volunteers when nothing else was working. The E-rate is a result of this administration standing fast and insisting that the telecommunications law be followed and interpreted in the most generous way possible. So we have the E-rate.

There are a number of things that this administration has done that we can applaud, but it has not gone far enough, and the playing field has changed. If you are now dealing with a trillion dollar surplus over a 10-year period, then let us have a program for that 10-year scenario. Let us have a school construction program for that 10-year scenario.

As my colleagues know, there have been times when it seemed that we could not win and things were impossible, and folks have said, as my colleagues know, it is just reckless for you to stand on the floor and ask for \$100 billion dollars, \$110 billion over a 10-year period. It is impossible. Well, there were days when we faced other impossibilities. In the early days of the 104th Congress, shortly after the Republican majority took control in the days of the Contract with America there were proposals to abolish the Department of Education. We had two former Republican Secretaries of Education come to the House and testify before committees calling for the abolishment of the Department of Education. That was a major item on the agenda of the Contract with America, to get rid of the Department of Education.

That same Congress in those years proposed that we cut education drastically. We cut in 1995 a proposal on the table called for almost a \$4 billion cut in education programs including Head Start, including Title I. Those are days where things seemed almost doomed in terms of federal, the federal commitment and federal aid to education.

But we kept fighting. We fought a good battle in school lunches where school lunches were also cut.

There are some people who are worried about protocol, and they say my hat is against the rules; is that what you are saying? Well, I will hold it here; is that all right? We have some arcane rules, and we worry about the wrong things. But the important point was made. We need to understand that school construction has to be pursued relentlessly, and while they worry about where you wear the hat here, any kind of hat, even a demonstration hat on the floor, while they worry about that, let us worry about the real problems out there, and remember that in the darkest days of the 104th Congress when they proposed to cut school lunches, Head Start, et cetera, we kept fighting, we kept fighting.

As my colleagues know, as a matter of levity let me just remind you of some of the things that we did to get our message across. We had to sometimes be a little humorous with it. On April 4, 1995, I recall an item I put in the CONGRESSIONAL RECORD which included a poem about school lunches. It was very serious, and we were very upset about the fact that they were proposing to cut school lunches. You might have forgotten, so let me just read from the item that I entered into the RECORD in 1995 on April 4.

Mr. Speaker, a final word has not yet been said about the Republican swindle of the children who receive free lunches in the schools across our Nation. But the final, most authoritative figures have been established by the Congressional Budget Office. The very conservative but thorough Congressional Budget Office has estimated that the Republicans will capture slightly more than \$2 billion from their block granted school lunch program. This will be \$2 billion more to go into the tax cut for the rich.

See, the present concern about tax cuts for the rich is not the only attempt to give big tax cuts to the rich. We had one before.

This is a scenario filled with horror. It conjures up the image of a poster, that poster that was famous during the war where the finger of Uncle Sam was pointed out at you, and it said: I need you. That kind of image is now being conveyed to the children of America. They are saying: this Nation needs your lunch.

And I put together a small rap poem that goes as follows:

This Nation, the Nation, needs your lunch.  
Kids of America, there is a fiscal crunch.  
This great Nation now needs your lunch.  
To set the budget right,  
Go hungry for one night.  
Don't eat what we can save.  
Be brave.  
Patriots stand out above the bunch,  
Proudly surrender lunch.  
Kids of America, nutrition is not for you.  
Sacrifice for the rich few.  
Be a soldier and play dead.  
The F-22 might rescue you.  
The seawolf sub might bring some hot grub;  
Now hear this: There is a fiscal crunch.  
This Nation needs your lunch.  
Pledge allegiance to the flag.  
Mobilize your own brown bag.  
The enemy deficit must be defeated.  
Nutrition suicide squads are desperately needed.

Kids of America, there is a fiscal crunch.  
This great Nation now needs your lunch.

Mr. Speaker, it is ridiculous for the Republican majority to call for cutting school lunches. Let it happen, and we overcame that. We woke up the American public. It did not happen automatically that we moved from 1995 proposals by Republican majority for a \$4 billion tax cut, education cut, to a 1996 position in the closing days of the same Congress where they proposed a \$4 billion increase.

The difference was public opinion, common sense. The people of America stood up to the nonsense and said edu-

cation is important, do not abolish the Department of Education, do not cut school lunches, do not cut Head Start. If you come out here and try to run on that kind of platform, you are doomed to defeat.

The focus groups and the public opinion polls told the Republicans they were off course, and they did an about face that was 360 degrees. Instead of a \$4 billion cut, we got a \$4 billion increase, the largest increase in education funding in the last few decades, since the Great Society entered the whole area of elementary and secondary education.

So we have difficult roadblocks placed in front of us in the past, and we have overcome it. The enemies of education have been forced to retreat in other cases. The E-rate last year, just a few months ago we were fighting the battle of the E-rate. What is the E-rate all about? The E-rate was a promise made by the corporations and telecommunications leaders to help education in exchange for some amazing concessions in the Telecommunications Act of 1996. After they had gotten all these concessions and all the deregulation they wanted, they begin to renege on the agreement; and when the FCC proposed to provide discounted funding to schools and libraries, and that is what Congress had asked them to do, discounted funding, they got opposition from a wide number of corporations and some Members of the House and Members of the Senate, and I came to this floor at that time and made an appeal to the schoolchildren of America.

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I happened to be speaking early in the evening on that day, so I made a special appeal to children, and between the school children and their parents and all the ordinary citizens who might not have children but have common sense out there, this thing has been turned around.

On Sunday, August 15, in a New York Times there was a report which reads as follows: "Phone fee for school Internet service seems to be too popular to overturn. Phone fee for school Internet service seems to be too popular to overturn."

Certain corporations were opposing the E-Rate. A simple matter. The FCC passed the regulations which required that money be paid into a fund. It is a universal fund that already exists for other purposes, so they expanded that fund to include money that would go into libraries and schools to pay a part of their costs for telecommunications. Up to 90 percent of the cost would be paid in the poorer schools, but all schools would get about 20 percent. Even the most wealthy schools would get a 20 percent discount.

This would help them to continue on an ongoing basis to pay the costs of having technology in their schools. The on-line services, the telecommunications services would be partially paid out of this fund.

The FCC proposed \$2.4 billion. There was such a hue and cry here in Congress and by the corporations who took them to court, and all the muscle was brought into play behind the scenes. Forget about the American people and school kids who would benefit from this.

So much muscle was brought into play that the FCC backed down. They cut the \$2.4 billion in half. It became \$1.2 billion. They moved for their first funding at 50 percent of the amount that they had originally decided.

Well, we appealed to the ordinary people and the children of America to counterattack; and, as a result, this report now says that nobody in high places now is willing to fight the battle against the E-Rate. We raised it back now to \$2.25 billion, up from the \$1.7 it had been cut down to.

I know, because I went with members of the Congressional Black Caucus to the hearing where the final vote was taken to raise it back to the amount of \$2.25 billion. That hearing was a great event, where we restored the promise that had been made to the schools and libraries of America.

Now they are saying nobody is waging war in any significant way. There are still some court suits being brought. I don't know where MCI is now on this whole matter, but MCI was one of the huge corporations that brought a suit, and I will include for the RECORD this article.

[From The New York Times National, Aug. 15, 1999]

PHONE FEE FOR SCHOOL INTERNET SERVICE SEEMS TO BE TOO POPULAR TO OVERTURN

(By David E. Rosenbaum)

WASHINGTON, Aug. 14—Two years ago, when the Government imposed a new fee on long-distance telephone companies to raise money for Internet connections at schools and libraries, the reaction from some quarters was ferocious.

Republican politicians, assuming that people would be outraged by the extra charges showing up on their phone bills, called it the "Gore tax" because Vice President Al Gore had championed the program.

Conservative academics accused the Clinton Administration of distorting the marketplace, quietly expanding the Federal role in education and creating a new, expensive entitlement program.

The long-distance carriers were quick to put new line items on phone bills identifying the extra charges they were passing along to customers, and they screamed that costs would skyrocket.

But the program, officially called the E-rate, has proved to be so popular that even the harshest critics now agree that further complaints are futile.

What happened was that pork barrel trumped political, ideological and commercial concerns.

In the new school year, 80,000 schools and libraries across the country will have new or improved high-speed Internet access because of the program, and a total of more than one million individual classrooms, in every state and presumably every Congressional district, will be wired.

While a tight lid has been imposed on almost all other Government programs, spending for the E-rate, which appears nowhere in the Federal budget, has been increased by

one-third to \$2.25 billion in the coming school year. That makes it one of the Federal Government's largest education programs—much larger, for example, than the \$1.5 billion the Government is allocating this year to vocational and adult education.

"Once you have large sums of money pouring into every school district in the country, it's impossible to turn off the spigot," said a lobbyist who has worked against the program.

Another opponent of the program, Adam Thierer, a communications policy specialist at the Heritage Foundation, agreed there was no turning back. "Pork barrel has won out, no doubt about it," he said.

"This technology has such appeal," Mr. Thierer added. "If you're against this, you're viewed as being against children. The political dynamic at play here is very powerful."

In his State of the Union Message in 1996, President Clinton set the goal of connecting every classroom and library to the Internet by the turn of the century. Now, because of the E-rate, it appears as if that goal will essentially be met, and the President often speaks of the success.

At a political fund-raiser a week ago in Little Rock, Ark., with Vice President Gore at his side, Mr. Clinton declared: "Al Gore led the fight to make sure that the Federal Government required all the schools in this country to have affordable rates so that every classroom in the poorest schools in America can be hooked up to the Internet. He did that, and he deserves credit for it."

Administration officials seize every opportunity to point out the local benefits. In a speech in Houston last month, William E. Kennard, the chairman of the Federal Communications Commission, said, "This week we were able to send nearly \$12 million to schools and libraries right here in Texas."

Everyone agrees that schools and libraries should have access to modern technology. Mr. Thierer, for example, said he would not want his children to go to a school that was not connected to the Internet.

The controversy has been over whether the way to accomplish the goal is through the back door. The Federal Communications Commission, not Congress, decides how much money should be spent under the E-rate program and who should receive it. And rather than raise the money through general taxes, it all comes from the fee on long-distance telephone service.

"I do not doubt that there is a benefit to wiring our classrooms and libraries today," said Senator Kay Bailey Hutchison, Republican of Texas. "But to require captive consumers to pay the full cost does not pass the fairness test."

From the Administration's perspective, the problem is that the Republican Congress would never have approved money directly for Internet connections.

The E-rate program grew out of the sweeping 1996 legislation that rewrote the nation's 62-year-old communications law. The measure, a product of countless compromises and tradeoffs, instituted a new era of competition in telephone and data services.

One section of the legislation requires telephone companies (and providers of cellular phone and pager services) to pay a fee to the Federal Communications Commission so that all Americans can have access to affordable telephone service and so that schools, libraries and rural hospitals and clinics can receive discounts on telephone service and Internet access.

The size of the fee and the exact nature of the services it would cover were left up to the commission to determine.

Ever since telephones became a central part of American life early in this century, some telephone users have subsidized others.

Businesses have subsidized residential users. Urban customers have subsidized those in rural areas. The affluent have paid more so that poor people could afford telephones.

The theory has been that everyone benefits from universal access to telephones, just as everyone benefits from a national highway system and mail service that reaches everywhere in the country.

Reed E. Hundt, who was Mr. Gore's prep-school classmate and the F.C.C. chairman from 1994 to 1997, saw the communications law as the path toward the Administration's goal of wiring classrooms and libraries. Under the policy that he developed and that has been followed by his successor, Mr. Kennard, long-distance companies pay a fee of slightly less than 1 percent of their revenue into a universal service fund.

Two-thirds of the money raised by the fee is spent on telephone service for rural communities and poor people. The other third, \$2.25 billion a year, is earmarked for the E-rate program. This covers 20 percent to 90 percent of the cost of wiring and paying the monthly bills from Internet service providers. The poorer the schools' students or the libraries' neighborhood, the higher the percentage of the cost that is covered.

The companies pass along the cost of the fee to their customers. AT&T, for instance, charges residential accounts 99 cents a month. MCI World-com charges customers 7.2 percent of their long-distance bill. Sprint charges 6.3 percent. One-third of this fee pays for the E-rate.

The cost of the E-rate program to most consumers is 30 to 40 cents a month—about the cost of a postage stamp, Mr. Kennard frequently says.

The program had a rocky start. Faced with criticism in Congress and a report of poor management by Government auditors, Mr. Kennard cut back the financing last year to \$1.7 billion from the original \$2.25 billion.

But across the country, from the biggest cities to the most remote communities the response from schools and libraries has been enthusiastic. Complaints from long-distance customers who are footing the bill have dwindled.

Joseph Salvati, coordinator of the E-rate program for New York City public schools, said 7 to 12 classrooms in every school in the city would be wired for high-speed Internet service when school opens for the new year. The city received about \$70 million for the program through last June and expects another \$70 million in the new school year, Mr. Salvati said.

Elva Scott, the volunteer librarian in Eagle, Alaska, an isolated community with 500 residents near the border with the Yukon Territory, said her library's grant allowed her to offer residents 30 minutes of free time on the Internet every month and more time at a charge of \$3 for every 30 minutes.

"Before this," Ms. Scott said, "we were really out of the loop."

Republican opponents clearly misjudged the public's willingness to pay a small amount of money to accomplish what is seen as an important social goal. Encouraged by the political support and a new management structure, Mr. Kennard returned in May to the \$2.25 billion annual level.

His position was bolstered last month when the United States Court of Appeals for the Fifth Circuit rejected a challenge to the program on the ground that the fee imposed by the F.C.C. was an unconstitutional tax.

But in Washington, even the strongest supporters of universal access to the Internet still worry about whether the communications commission should be running a major education program rather than Congress or the Department of Education or the education authorities in the states and cities.



"It's a wonderful program," said Patricia Auferheide, a professor of communications at American University here and the author of a book on the 1996 telecommunications law. "But it's certainly making education policy in a backward way."

Mr. Speaker, I think people ought to know that the phone fee for school Internet service seems to be too popular to overturn.

Mr. Speaker, I will also enter into the RECORD another entry that I made on July 17, 1998, in the CONGRESSIONAL RECORD already. I think it is time to look at it again. It is called "The Massacre of the E-Rate Continues." At that time I thought some humor would help wake children up to what was really going on. It is called "The E-Rate KILLER."

MCI  
Wants E-Rate to die  
Children cry  
Big shots lie  
Pigs kidnap the sky  
MCI  
Wants E-Rate to die  
Deadbeat dinosaur  
Monster Corporate Idiots  
MCI  
Never shy  
Greedy grinch  
Stealing all the pie  
MCI  
With justice no civil tie  
MCI  
Filthy sty  
In the star spangled eye  
MCI  
Wants E-Rate to die  
MCI  
Makes children cry.

#### THE MASSACRE OF THE E-RATE CONTINUES

Mr. OWENS. Mr. Speaker, the massacre of the infant E-Rate continues. Certain greedy corporations have chose to persecute and betray the children of America by denying them vital access to education technology in their schools and libraries. After the Telecommunications Act of 1996 enriched these giant corporations by removing certain regulations and allowing an unprecedented increase in their profits, MCI and others have chose to renege on the deal. The telecommunications corporations gave their word that they would support an earmarking of a portion of the Universal Access Fund just for Schools and libraries. Now corporations and misguided political leaders have forced the Federal Communications Commission to cut the original funding goal by fifty per cent. On behalf of the 30,000 schools and libraries that applied for funding, and all of the children of America we demand that full funding for the E-Rate be restored immediately. The children of America have a message for corporations like MCI:

#### THE E-RATE KILLER

MCI  
Wants E-Rate to die  
Children cry  
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Deadbeat dinosaur  
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MCI  
With justice no civil tie  
MCI  
Filthy sty  
In the star spangled eye  
MCI  
Wants E-Rate to die  
MCI  
Makes children cry.

I think we ought to be reminded that that kind of appeal was necessary to bring common sense back to the policymakers who were rallying against MCI, as well as the big corporate powers.

So we can win some of these battles. My point is we can win. Let us remember these battles that we have won. There was a point where they wanted to cut the Public Broadcasting funds. I think we came and talked about Big Bird and Sesame Street, and they backed down on that. We have won battles. We have forced retreats.

In this situation it may not be a situation of forcing a retreat or winning a battle. It is a matter of getting it on the table, construction for schools, school construction, school modernization, funds to facilitate greater school security, funds to eliminate unhealthy and unsafe conditions. If that gets on the table when the discussion takes place about the \$1 trillion surplus, then we will have won the battle.

I propose \$110 billion over a 10-year period to keep pace with and be comparable to the Republican tax cut proposal, but if you get less, we still have won the battle. But let us go forward and understand that we cannot give up. The force is with us; the education president is with us. This education president can be persuaded, as he has in the past, he can be persuaded to expand his horizons, and we hope we can help persuade him to expand the school construction proposal.

The working families and unions are with us. I have here, the hard hats are with us, so we want the hard hats and all the forces combined to fight harder and understand this is a battle we can win, this is a war we can win. The force is with us. Education is an investment that America needs. It will be a great blunder not to have all possible effort to improve education taking place.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MCHUGH (at the request of Mr. ARMEY) for today on account of family matters.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. McNULTY) to revise and extend their remarks and include extraneous material:)

Mr. SCOTT, for 5 minutes, today.  
Mr. BROWN of Ohio, for 5 minutes, today.

Mr. HOYER, for 5 minutes, today.  
Mr. PALLONE, for 5 minutes, today.  
Ms. JACKSON-LEE of Texas, for 5 minutes, today.  
Mr. CUMMINGS, for 5 minutes, today.  
Mr. BLUMENAUER, for 5 minutes, today.  
Mr. RUSH, for 5 minutes, today.  
Ms. LEE, for 5 minutes, today.  
Mr. DEFAZIO, for 5 minutes, today.  
(The following Members (at the request of Mr. KINGSTON) to revise and extend their remarks and include extraneous material:)  
Mr. MORAN of Kansas, for 5 minutes, today.  
Mr. DIAZ-BALART, for 5 minutes, September 9.  
Mr. NETHERCUTT, for 5 minutes, September 9.  
Mr. SHAW, for 5 minutes, today.  
Mr. WALDEN of Oregon, for 5 minutes, today.  
Mr. JONES of North Carolina, for 5 minutes, September 9.  
Mr. KASICH, for 5 minutes, today.  
Mr. DUNCAN, for 5 minutes, today.  
Mr. KINGSTON, for 5 minutes, today.  
Mr. KINGSTON, for 5 minutes, September 9.

#### SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 199. An act for the relief of Alexandre Malofienko, Olga Matsko, and their son, Vladimir Malofienko; to the Committee on the Judiciary.

S. 452. An act for the relief of Belinda McGregor; to the Committee on the Judiciary.

S. 620. An act to grant a Federal charter to Korean War Veterans Association, Incorporated, and for other purposes; to the Committee on the Judiciary.

S. 632. An act to provide assistance for poison prevention and to stabilize the funding of regional poison control centers; to the Committee on Commerce.

#### ENROLLED BILL SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

On August 5, 1999:

H.R. 1664. An act providing emergency authority for guarantees of loans to qualified steel and iron ore companies and to qualified oil and gas companies, and for other purposes.

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker pro tempore (Mr. WOLF):

On August 10, 1999:

H.R. 211. An act to designate the Federal building and United States courthouse located at 920 West Riverdale Avenue in Spokane, Washington as the "Thomas S. Foley United States Courthouse", and the plaza at